IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
JUDGES' ORDER NO.17 OF 2007
IN
SUIT NO.53 OF 1996

The Himachal Pradesh State Industrial Deve.Corpn.Ltd .. Plaintiff

vs

M/s Form Techniks (India) Ltd & ors..Defendants
&
H.P.Financial Corpn. .. Pro.Deft

Mr.Gaurang Mehta for Plaintiff

CORAM : SMT R.S.DALVI, J

DATE : 1st March, 2007

P.C.

1. The plaintiffs have obtained a decree from the Himachal Pradesh High Court in the above petition. That decree is to be executed. The plaintiff has got the decree transferred to this Court under order dated 16th Octber 2006. It is contended on behalf of the plaintiff that order dated 16th October 2006 is an order issuing execution against the defendants in an Execution Application and hence separate notice under Order 21 Rule 22 of C.P.C.is not required to be taken out for leave to execute the decree as per the proviso to that rule.

2. Consequently, notice under Order 21 Rule 22 C.P.C. is dispensed with.

(Smt R.S.Dalvi,J)